

PTO/SB/17 (10-04v2)

Approved for use through 07/31/2008. OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 110**Complete if Known**

Application Number	10/828,144
Filing Date	July 28, 2003
First Named Inventor	Quoc N. Dang
Examiner Name	Peugh, Brian R.
Art Unit	2187
Attorney Docket No.	K35A1303

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number	23-1209
Deposit Account Name	Western Digital Corp

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>			

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 88	2204 44	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2) (\$)</b>			

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	1052 50	2052 25	Surcharge - late filing fee or oath	
1053 130	2053 130	1054 130	2054 130	Surcharge - late provisional filing fee or cover sheet	
1812 2,520	1812 2,520	1055 130	2055 130	Non-English specification	
1804 920	1804 920	1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1805 1,840	1805 1,840	1804 920	1804 920	Requesting publication of SIR prior to Examiner action	
1251 110	2251 55	1805 1,840	1805 1,840	Requesting publication of SIR after Examiner action	
1252 430	2252 215	1251 110	2251 55	Extension for reply within first month	
1253 880	2253 490	1252 430	2252 215	Extension for reply within second month	
1254 1,530	2254 785	1253 880	2253 490	Extension for reply within third month	
1255 2,080	2255 1,040	1254 1,530	2254 785	Extension for reply within fourth month	
1401 340	2401 170	1255 2,080	2255 1,040	Extension for reply within fifth month	
1402 340	2402 170	1401 340	2401 170	Notice of Appeal	
1403 300	2403 150	1402 340	2402 170	Filing a brief in support of an appeal	
1451 1,510	2451 1,510	1403 300	2403 150	Request for oral hearing	
1452 110	2452 55	1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1453 1,370	2453 685	1452 110	2452 55	Petition to revive - unavoidable	
1501 1,370	2501 685	1453 1,370	2453 685	Petition to revive - unintentional	
1502 480	2502 245	1501 1,370	2501 685	Utility issue fee (or reissue)	
1503 660	2503 330	1502 480	2502 245	Design issue fee	
1480 130	1480 130	1503 660	2503 330	Plant issue fee	
1807 50	1807 50	1480 130	1480 130	Petitions to the Commissioner	
1808 180	1808 180	1807 50	1807 50	Processing fee under 37 CFR 1.17(a)	
6021 40	6021 40	1808 180	1808 180	Submission of Information Disclosure Stmt	
1809 790	2809 395	6021 40	6021 40	Recording each patent assignment per property (times number of properties)	
1810 790	2810 395	1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1801 790	2801 395	1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1802 900	1802 900	1801 790	2801 395	Request for Continued Examination (RCE)	
		1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) 1814 Terminal Disclaimer 37 CFR 1.20(d) 110

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)** 110**SUBMITTED BY**

Name (Print/Type)

Robroy R. Fawcett

Registration No.

35,133

(Complete if applicable)

Telephone 760 738-7005

Signature

Date

November 12, 2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

K35A1303

In re Application of: Quoc N. Dang

Application No.: 10/628,144

Filed: July 28, 2003

For: Cluster-Based Cache Memory Allocation

The owner, Western Digital Technologies, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,606,682 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:


- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 35,133



Signature

November 12, 2004

Date

Robroy R. Fawcett

Typed or printed name

760 738-7005

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

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